

**BOROUGH OF DUMONT  
BERGEN COUNTY, NEW JERSEY  
EXECUTIVE SESSION MINUTES**

**MAY 7, 2013**

**6:30 PM**

Mayor Kelly called the meeting to order at 6:30PM

Flag Salute; Silent Prayer

Sunshine Law: The notice requirements of the Open Public Meetings Act of the State of New Jersey have been satisfied by the inclusion of the date, time and place of this regular meeting in the annual schedule and notice of regular meetings of this Governing Body. Such annual schedule and notice of regular meetings is posted at Borough Hall, was sent to *The Record* and the *Ridgewood News*, posted on the Borough website and filed with the Borough of Dumont.

**Roll Call:** Council members Carrick, Hayes, Riquelme, Stylianou, Zamechansky-present

Councilman Brophy-absent

Mayor Kelly-present

Motion to Accept Agenda as presented: Councilwoman Zamechansky

Second: Councilman Riquelme

All in favor.

A power point presentation was given by Anthony Iovino of Arcari & Iovino Architects. His office focuses on municipal work. He distributed booklets and stated that his charge had been to study the site, the building and the needs of the departments in the Dumont Municipal Building. The existing size, without police, is about 12,000 sq. ft. plus the gross factor (hallways, bathrooms, etc.) The total needed would be about 32,000 sq. ft. gross-outside measurement of the footprint of the building. There are many inefficiencies now. There are many state requirements for the police department-sally port, lockers for men and women, etc. The total probable cost is approximately \$9,700,000, which is based upon today's costs and includes items such as demolition of the current building and proposed additional properties, temporary police department trailers, etc.

Mr. Perkins commented that through Clean Energy Borough Hall, the firehouses and DPW were provided with new furnaces, air conditioning, lights at no cost and they would be interested in doing another project.

Mayor Kelly stated that this is the first step in the direction of a new borough hall. We need to move forward. This building is very old.

**Consent Agenda**

Review of Consent Agenda Items: All items with an asterisk are considered to be non-controversial by the Council and will be approved by one motion. There may be further discussion prior to the vote upon request of a member of the public or a Council member. Also, any item may be removed for further discussion or for roll call vote in which case the item will be removed and considered in its normal sequence as part of the general order of business.

**RESOLUTIONS**

#13-99 Bills List \*

#13-100 2013 Salary Resolution \*

#13-101 Approval of St. Mary's Church Calendar Raffle to be held September 4, 2013 through December 26, 2013; ID#109-1-471; RL#388 \*

#13-102 KKD Holdings, Inc.-Renewal of Inactive Liquor License Application \*

#13-103 Authorization to Change the Custodian of the Police Department Petty Cash Fund \*  
#13-104 Endorsement of Housing Authority Community Development Block Grant Application  
for Remediation of David F. Roche Apartments \*  
#13-105 Authorization to Advertise for Bids for Depew Street Project \*  
Motion to open to the public on the Consent Agenda: Councilman Hayes  
Second: Councilman Stylianou  
All in favor.  
Motion to close: Councilman Hayes  
Second: Councilman Riquelme  
All in favor.  
Motion to adopt: Councilman Stylianou  
Second: Councilwoman Zamechansky  
Roll call vote: Council members Carrick, Hayes, Riquelme, Stylianou, Zamechansky-yes

## **ORDINANCES**

### *First Reading*

**#1454** Amendment of Chapter 69, Sections 9 and 75, Personnel Policies-Health Benefits-of the Dumont Code

Mayor Kelly pointed out that this ordinance was not approved by him to be on the agenda originally but the Municipal Clerk had advised him that she had received requests from four council members to add it. He asked who the four councilmembers were. The Municipal Clerk responded she had received requests from council members Stylianou, Zamechansky, Riquelme and Carrick.

Councilman Stylianou stated for the record that Councilman Brophy wrote to him that he fully supports this ordinance, knew that it would be part of tonight's agenda, had no problem with it at all and is 100% behind it.

The Mayor stated that he is in favor of the ordinance but questions the timing. He feels it is political. He asked Councilman Stylianou why it is more important now than in the past to which the Councilman replied that it has always been important but he never had the votes until now. This has nothing to do with partisan politics-both Republicans and Democrats on the Council support it.

Mayor Kelly read a summary of council members' health benefit costs since 2006: \$37,541.62 for Mayor McHale, \$11,773.85 for Councilman Kerr, \$98,339.53 for Councilwoman Zamechansky, \$21,690 for Councilman Freeman, \$14,908 for Councilman Hayes. The Mayor stated that he does not take health benefits. Council members Stylianou and Carrick added that they never have either.

Councilman Hayes said that he was on the finance committee and suggested several items that could be cut: there are supposedly five too many police; Ethics Board and Dumont Social Services, which are duplicated. He feels that this ordinance to eliminate health benefits is due to the fact that he voted no on the budget.

Councilman Stylianou replied that for Councilman Hayes to target certain areas when he is receiving \$20,295 in benefits is not fair. He said that following the last meeting members of the public, including Republicans, came to him as chair of the ordinance committee, and asked that something be done about this. This is the reason for the timing of the ordinance. He feels that for a part-time sitting councilman to receive \$25,000 in benefits is obscene. Mayor Kelly asked him what he thought about \$98,339. For the record, Councilman Stylianou said he feels

that it also is obscene. Councilman Stylianou asked the Mayor if he thought the fact that both Republicans and Democrats have taken health benefits up to this point is obscene to which the Mayor responded that he thinks it was wrong.

It was agreed that the ordinance would be revised to take effect ninety days from publication in order to afford Councilman Hayes more time to obtain his own insurance coverage.

There was also discussion about eliminating Mayor and Council stipends.

Motion to waive formal reading: Councilman Stylianou

Second: Councilman Carrick

All in favor.

Motion to pass on first reading: Councilman Stylianou

Second: Councilman Carrick

Roll call vote: Council members Carrick, Hayes, Riquelme, Stylianou, Zamechansky-yes

**#1455** Amendment to Shade Tree Chapter 344, Article 7, Section 24-Tree Permits

There was much discussion regarding the wording “any tree” and the requirement for a permit to cut down any tree.

Mr. Paster explained he was asked by Councilman Brophy, liaison to Shade Tree Commission, to draft an ordinance to include every tree. There is already a permit process in place for Borough-owned trees but there has been confusion by residents as to whether a tree is private or Borough-owned.

Mayor Kelly spoke to the Building Department and they expressed concern as to who would issue permits and staffing requirements.

Motion to open to the public: Councilman Hayes

Second: Councilman Riquelme

All in favor.

1. Ray Slaman, chairperson of the Shade Tree Commission, was asked to clarify the impending ordinance amendment. He explained that residents were making assumptions as to whether a tree was a private tree and would take it down. It would turn out that it was a Borough tree and the town loses an asset. This is an ordinance to protect the town’s valuable assets. This ordinance would prevent any confusion. The purpose of the permit is to engage the homeowner in a dialog with the town. He also feels there should be a nominal fee for permits in order to cover staffing and to be used to replenish trees. Even if it’s a private tree, Mr. Slaman feels it’s still a loss to the neighborhood and a fee permit requirement might engage dialog as to whether there is another option other than removing the tree. There is a provision for appeal in the ordinance.
2. Jerry Herrera, 21 Beacon Street, feels that the government should not be able to tell you what to do with your property. If the tree is in his backyard he should have to right to cut it. He stated that he is a lifetime member of the Arborist Society. He questioned the trimming of the trees by PSE&G.

The Mayor said he has gotten a lot of calls and emails from residents who have concerns about trees. He questioned Borough trees in connection with the town’s liability. Mr. Paster responded that by having a Shade Tree Commission the town is insulated from liability for publicly-owned trees. He will be meeting with Mr. Slaman at the end of the week.

Councilman Hayes asked Mr. Slaman to look at a tree at 4 Beacon Street.

3. Abbie Slaman stated that this amendment would solve the issue of Borough-owned trees being cut down by mistake. This would be a way of educating people.

4. Irwin Buchheister, 39 Cedar Road, stated that a tree at 21 Cedar Road came down during Hurricane Sandy. The sidewalk was affected. They were told it is the resident's responsibility to fix the sidewalk. A tree next door seems dangerous because it is leaning and there is a transformer across the street. The Shade Tree Commission did not give permission to remove the tree. He asked that someone trim it.

Motion to close to the public: Councilman Riquelme

Second: Councilman Hayes

All in favor.

It was the consensus to table the ordinance until the language in it is clarified.

### **Administrator Perkins' Report**

The West Shore project will begin soon.

The DPW generator should start mid-June. There is a meeting with him at the end of the week.

The helicopter drill on April 21<sup>st</sup> went very well.

The shredding program this past Saturday was a success.

The Borough has received over \$2,000 for equipment sold through GovDeals auction.

### **Council Committee Reports**

- Councilman Carrick

No report

- Councilman Hayes

*Joint Land Use Board*

Variances for St. Mary's, E. Quackenbush and PS&G were memorialized.

*Ethics Board*

It hasn't met in about four months.

- Councilman Riquelme

No report

- Councilman Stylianou

No report

- Councilwoman Zamechansky

No report

### **Attorney's Report**

Mr. Paster noted that the TwinBoro Field Deed notice has been filed with the County Clerk.

A \$1,000 reimbursement check was received by the Borough from TurboWash, which Mr. Paster had been authorized by the Council at the last meeting, to accept. The municipal court matter was also concluded successfully.

### **Mayor's Report**

Sal Maurice Jr., soon to be an Eagle Scout, will be receiving a 2013 Bergen County Historic Preservation award. His project was to fix up the gravesite behind the Old North Reformed Church.

Motion to adjourn: Councilwoman Zamechansky

Second: Councilman Riquelme

All in favor.

Meeting adjourned at 8:15PM

Minutes respectfully submitted by:

Susan Connelly, RMC

Municipal Clerk